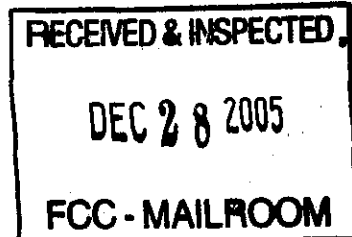


CGB-CE-0098

Life Matters
P.O. Box 100
Tonopah, AZ 85354-0100
623-393-8279
602-327-6686



December 15, 2005

Federal Communications Commission
Office of the Secretary
9300 E. Hampton Drive
Capitol Heights, MD 20743

Attention: CGB Room3-B431

Introduction

Life Matters is a non-profit pro-life, pro-family Christian education organization. Our mission is to promote respect and protection for all innocent human life and for the family through education. One of our education programs is a pro-life, pro-family, Christian education television show, also called Life Matters, which has been airing nationally via satellite since July of 2005. Life Matters, Inc. requests an exemption for the closed captioning requirements, under Section 79.1 of the Commissions Rules, C.F.R. & 79.1 because compliance with the rules will result in an undue burden; significant difficulty or expense. Please consider the following information as supporting evidence of an undue burden:

Evidence of Undue Burden: Part 79.1 Section (F)

Nature and cost of the closed captioning for the programming

Closed Caption Productions, Inc, Arizona provides close captioning services and will charge Life Matters, Inc. \$200.00 per 30 minute show for a total of 11,200.00 for 56 episodes or one years worth of programs for a weekly broadcast. We currently have 76 shows that need close captions.

The Impact of the operation on the provider or program owner

The principals of Life Matters, the Sisk Family and Rob Gerstner, are the producer of Life Matters TV show. The principals had to personally donate or loan the money, time, skills and all other resources to produce Life Matters TV show. No donations have ever been received to help offset costs or to reimburse the principals investments.

The Sisk family is the founder of Life Matters. Sally Sisk is the President, and her father Elmer Sisk is the Vice President. Both have sold almost all their personal belongings and property and used their entire life savings to create, implement, and maintain all of Life Matters pro-life pro-family Christian education programs including Life Matters TV show. Both have worked without financial compensation of any kind for the last year and a half to promote the life saving education services of Life Matters. If Sally had received industry standard wages for the work performed for Life Matters she would be compensated at least a couple hundred thousand dollars. If wages were based upon her former wages as a computer networking and information technology specialist and

instructor at the college level her wages would also have been in the one hundred thousand ranges. Her father who should be living a peaceful, quiet retirement has instead given his entire social security income of \$800.00 per month, and his entire life savings to enable Life Matters to spread their life saving message that every life matters. His total personal, un-reimbursed financial investment is over \$60,000.00 not including his time or talent.

Rob Gerstner is the owner of a television and film equipment rental company called Reel Men in Phoenix, Arizona. Life Matters TV show is made possible by God primarily through the time, effort, creativity, and resources, and sacrifices of Rob and Jean Gerstner and secondarily through Life Matters, Inc.

Rob has donated his time, production skills and services, lighting services, employees, money, equipment, training, airfare and all the other services related to producing a TV show including makeup artists and their fees, and also food service for all guests and production crew. Rob has provided the majority of these services at his own personal or business expense. Rob's total production costs for Life Matters TV show have been over \$700,000.00 for which he has not received compensation

Rob Gerstner has also sacrificed personally to produce Life Matters TV show. An example of how he has sacrificed personally would be that he and his wife donated their entire frequent flyer miles, which they would normally use for their own family, to fly guests in from out of state. In spite of this extremely generous act, Life Matters had to pay over \$6,000.00 cash for airfare that couldn't be covered by frequent flyer miles. Additionally, Rob worked to produce our show during 15 hour days over a 10 day period and many times he had to work to set up a job for a customer late at night after he was finished producing our show. Again, if Rob had been paid for time, wages, employees and other contributions he would be owed \$700,000.00 without including the personal contributions he and his family made from their own pocket book. Instead, like the rest of us, Rob has spent his own money at great sacrifice and expense to himself and his family to promote Life Matters mission of pro-life, pro-family, Christian education.

Neither the Sisk family nor Rob Gerstner has any further resources to devote to this project at this time. We are confident that the funds can easily be raised if we are given some time to do so.

The financial resources of the provider or program owner

Personal Contributions

Life Matters derives its income or resources from the personal, sacrificial investment of time, labor, materials, money, and other resources of the stake holders and from a small group of low volume donors. As stated earlier Life Matters has never received a financial contribution for the production of Life Matters TV show. Life Matters has received donations for the maintenance of Life Matters programs i.e., for purchasing air time. Life Matters principle income has been contributed by the personal sacrifices of the following stake holders.

Sally Sisk, the founder and President of Life Matters has worked without pay for the last year and a half (since Life Matters inception) to create and implement all of Life Matters organization's pro-life, pro-family, Christian education programs including Life Matters TV show. Based upon her former contract wages ranging from \$50.00 to \$100.00 per

hour teaching computer networking and information technology at the college level her income for Life Matters should be a couple of hundred thousand dollars based on the level of skill required and the number of hours worked. Instead of drawing a salary Sally used her entire life savings to support herself and has not used donor money for her personal use or gain. She works for free and uses donor money to maintain the operation of the education projects once they have been implemented and not for herself.

Elmer Sisk is the Vice President of Life Matters. He also has worked without pay for the last year and a half (since Life Matters inception) helping to implement Life Matters pro-life, pro-family, Christian education organization. Additionally, Elmer Sisk and his wife Cecelia who live off of a social security payment of \$800.00 per month have invested their entire social security income for the last year to implement Life Matters education programs. Lastly, Elmer and CeCelia have donated their entire life savings and the small profits from the sale of an investment property to enable Life Matters to create and implement pro-life, pro-family, Christian education programs. Their total personal investment is over \$60,000.00.

Rob Gerstner is the producer of Life Matters pro-life, pro-family, Christian education TV show. Rob Gerstner is the owner of a television and film equipment rental company called Reel Men in Phoenix, Arizona. As stated earlier, Rob has provided the majority of the services related to the production and distribution of Life Matters TV show at his own personal or business expense. If Rob had been paid for time, wages, employees and other contributions he would be owed \$700,000.00. Instead, like the rest of us, Rob has spent his own money at great sacrifice and expense to himself and his family to promote Life Matters mission of pro-life, pro-family, Christian education.

In summary, everyone who participates in Life Matters has and continues to do so without wages, without reimbursement, at great personal sacrifice and expense for the sake of the children, families, and individuals with special needs whose lives we work to protect through Life Matters. At this time no one has ever profited financially from Life Matters. We have made great personal sacrifices for this labor of love because we care about all people and want to guarantee their right to life and protection.

The total donations of time, resources, skill, talent, labor, and wages of just the three families mentioned would exceed \$1,000,000.00 if a dollar amount were assigned. It is not possible at this time to continue to make the extreme personal sacrifices as we have no further personal property, services, or items to sell or barter at this time. Our only available source of income is from donations and these are only sufficient to maintain operations at a low level. Life Matters began asking for donations about four months again. We received approximately \$15,000.00 in donations. Our monthly operating expenses have exceeded \$20,000.00. Life Matters debt from our recent production of one year's worth of TV shows exceeds \$15,000.00. The table below illustrates that the monthly donations received just barely cover operational and maintenance costs. It does not include any contributions toward production costs, wages, or debt payment. Additionally Life Matters had to discontinue airing Life Matters TV and radio show locally because our production costs were so high that we cannot afford air time temporarily.

Monthly Operational Expenses

Operational Expenses		Amount
Shipping		
	UPS	177.85
	US Postal Service	274.66
	Federal Express	1735.96
Air time		
	KAZ TV	*7230.00
	KXEG	*5,206.06
Web/Hosting		443.28
Internet Access		
Office		3103.77
Administration		
Gas and Vehicle		3,517.77
Parking fees		119.46
Exhibit Storage		1,000.00
Total Expenses		22,808.81

*Life Matters owes 1,300.00 to KAZ TV and 1,400.00 to KXEG and is making payments on this debt. Our donations for December dropped to less than were so low in December we could not continue to purchase air time.

Monthly Donations

Donations		Amount
2005	All donations	\$15,174.00

The total monthly operating expenses exceed the total donations by \$7,634.00.

Again, these donations did not contribute in any way toward any of Life Matters initial, one time expenses like the purchase of computers and software, totaling over \$3,000.00, required to perform the design and communication work of Life Matters, Inc. and to manage the business requirements, or the cost of implementing any of our other education programs either. For example the cost of designing and manufacturing our college campus exhibits was not funded by these monthly donations, nor was any debt covered by these donations. Lastly, these donations do not cover our debt or personal investment, donation, or loan of money, time, wages, skill or any other resource given by the principals.

Type of operations of the program owner

Life Matters creates and implements pro-life, pro-family, Christian education programs including Life Matters TV and radio programs, monthly pro-life college campus exhibits and outreach programs, mobile ultrasound unit, and practical pregnancy care and assistance programs for women and families in need

Reel Men, a partner with Life Matters in the production of Life Matters TV show, is a television and film equipment / production rental company. Reel Men also provides production services.

Alternatives

Life Matters is willing to begin close captioning as soon as the funds are available. There will be no waiting till the end of the exemption period to begin close captioning if the resources are available sooner, as Life Matters anticipates.

Life Matters is currently investigating the possibility of purchasing the computerized system for close captioning. We currently have two members of Life Matters who have the time and talent (he is a computer programmer and she is a psychologist who is trained in transcription) to implement this technology if only we are granted the time to raise the money, which is considerably less than the cost of contracting it out, and to implement the technology.

Other Factors

The requirements for closed captions have been in the works for considerable time, but Life Matters was not aware of the requirement until November 2005. This short notice posed a considerable problem on several different levels.

The first problem was that it didn't allow enough time to raise the necessary funds to pay for the close captioning by the deadline of January 1, 2006. Life Matters just finished producing a years worth of new shows in October, and still has over \$10,000.00 in unpaid debt directly related to the show. The second problem this short time frame raised is a logistical problem. Additional time is needed to duplicate the tapes and ship them to the stations that broadcast Life Matters

Life Matters pro-life, pro-family Christian education TV show is only one and a half years old. Our accomplishments have been phenomenal, but they have been largely due to extreme personal sacrifice because our organization is so young. We have many other pro-life education programs in addition to our TV show like our radio program, college campus outreach programs, mobile ultrasound unit, and practical pregnancy care and assistance programs for women and families in need. Because the resources dedicated to these programs are so great, we are left without the extra resources necessary to pay for the close captioning on such short notice. As previously mentioned, Life Matters expenses from the recent production of over 50 new shows left Life Matters with a burden of debt that required temporarily canceling the radio broadcast and broadcast of Life Matters TV show in the state of Arizona.

Conclusion

Life Matters is fully supportive of giving greater programming access to the hearing impaired public, and is eager to add close captioning to our new years worth of shows. As mentioned previously, all that is needed to comply is some time to raise the funds to pay for the close captioning. Even if granted a one year exemption, we would not use the full year; rather, we would implement close captioning as soon the funds were available to pay for it. Life Matters anticipates that it would take three to six month to raise the necessary funds to pay for contract close captioning services and possibly less time to implement the operation in house.

Additionally, it is in the best interest of the hearing impaired and all people with disabilities or special needs of any kind to support a temporary exemption for close captioning for *Life Matters pro-life TV show* since *Life Matters* advocates for the rights and protection of all people including people with disabilities and special needs. Our shows openly address the discrimination against people with disabilities and special needs. For example, over 80% of all pre-born children who are given a negative medical diagnosis, including a "disability" or "special need", will be aborted in the United States. We speak out against this injustice and advocate for the right to life and protection for all people. Further, we educate the public about the growing movement to promote and accept infanticide of newborns, especially newborn children with disabilities or special needs, as currently advocated by Princeton University Professor of Ethics Peter Singer, and many others. We also speak out in defense of people with disabilities and special needs by educating the public about the growing movement promote "euthanasia" by people like Dr. Kevorkian, who stated in a public interview, that if a young person wanted help to commit suicide he would not recommend counseling for depression or the development of a support system for that person if he or she had a disability. *Life Matters* is the voice advocating for the life all innocent human beings – including people with disabilities and special needs. A great disservice would be done to the community of people with disabilities and special needs if *Life Matters* were removed from the air.

Thank you so much for considering our petition for a temporary exemption for close captioning.

Sincerely,

A handwritten signature in cursive script that reads "Sally Sisk".

Sally Sisk
Life Matters
Founder and President.